

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE,
WESTERN DIVISION

FILED BY  D.C.

05 JUN -6 PM 3: 59

OZARK MOTOR LINES, INC.,

ROBERT R. DITROLLO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

Plaintiffs,

VS.

NO. 05-2211-BP

KAISER FOUNDATION HEALTH PLAN,
INC.,

Defendants.

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

JOINING PARTIES: **July 29, 2005**

INITIAL MOTIONS TO DISMISS: **July 29, 2005**

AMENDING PLEADINGS: **July 29, 2005**

COMPLETING ALL DISCOVERY: **December 29, 2005**

(a) DOCUMENT PRODUCTION: **December 29, 2005**

(b) DEPOSITIONS, INTERROGATORIES and REQUEST FOR ADMISSIONS:

December 29, 2005

(c) EXPERT DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT

INFORMATION: **December 29, 2005**

(2) DISCLOSURE OF DEFENDANT'S RULE 26

EXPERT INFORMATION: **December 29, 2005**

(3) EXPERT WITNESS DEPOSITIONS: **January 27, 2006**

FILING DISPOSITIVE MOTIONS (INCLUDING MOTIONS FOR SUMMARY JUDGMENT): **March 15, 2006**

OTHER RELEVANT MATTERS: _____

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filing that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for a non-jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. It is anticipated that the trial will last two (2) days.

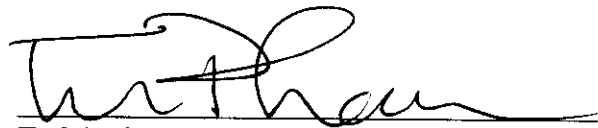
The parties agree that this case will be appropriate for alternative dispute resolution at the appropriate time, and agree to submit this matter to mediation subsequent to the close of discovery, or at another time agreed upon by counsel for the parties.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

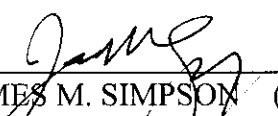
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

A handwritten signature in black ink, appearing to read 'Tu M. Pham', written over a horizontal line.

Tu M. Pham
UNITED STATES MAGISTRATE JUDGE


DATE: June 6, 2005

APPROVED FOR ENTRY:



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CLERK OF COURT
U.S. DISTRICT COURT
MEMPHIS, TENN.



Notice of Distribution

This notice confirms a copy of the document docketed as number 15 in case 2:05-CV-02211 was distributed by fax, mail, or direct printing on June 9, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT